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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,540	06/23/2003	Kamel Shaath	38898-190334	5766
26694	7590	03/23/2005	EXAMINER	
VENABLE, BAETJER, HOWARD AND CIVILETTI, LLP			NGUYEN, HIEP T	
P.O. BOX 34385			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20043-9998			2187	

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/600,540	SHAATH ET AL.
	Examiner Hiep T Nguyen	Art Unit 2187

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 23 December 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 36-65 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 36-65 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. This Office Action is a response to the amendment filed December 23, 2004. Claims 36-45 and newly added claims 46-65 are pending in the application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 36-39, 43, 46-49, 53, 56-59, and 63 are rejected under 35 U.S.C. 102(e) as being anticipated by Gladney et al., U.S. Patent No. 6,044,373 [hereafter, Gladney].
 - a. As per claim 36: Gladney teaches a method of applying an access privilege to a logical storage medium (200) in communication with a computer (100) [see figure 3], the method comprising the steps of:
 - i. Providing an end user access privilege indicative of at least one of an enabled operation and a restricted operation [i.e. whether or not the requesting client is allowed to open a file] to be performed on a logical storage medium obviating a need for reserved portion of said logical storage medium [col. 9, line 65 through col. 10, line 12].
 - ii. Associating said access privilege with at least one logical portion of said logical storage medium [col. 8, lines 18-28];
 - iii. Applying said access privilege to at least one data identifier col. 8, lines 29-41]; and
 - iv. Providing a trap layer [300; figure 3].

- b. As per claim 37: Gladney further teaches that his at least one logical portion of said logical storage medium comprises either a directory or a file [col. 12, lines 29-43].
- c. As per claim 38: Gladney further teaches that access to the entire protected resource 200 is subjected access privilege checking [see figure 3].
- d. As per claim 39: Gladney further teaches that his at least one data identifier is a file name or a directory [see again col. 8, lines 19-41 and col. 12, lines 29-43].
- e. As per claim 43: the further claimed limitation is inherent in the Gladney teaching. This is because a file or a data block, as taught by Gladney, is associated with a portion of storage medium. The entire storage medium clearly has the capability of storing more than one file or one data block.
- f. As per claims 46-49 and 53, the claimed system comprises no more than the necessary means for carrying out the corresponding steps in the claims 36-39 and 43. Accordingly, the claimed system is rejected for the same reason as set forth for claims 36-39 and 53.
- g. As per claims 56-59 and 63, the claimed computer program product comprises no more than the necessary logic for carrying out the corresponding steps in the claims 36-39 and 43. Accordingly, the claimed product is rejected for the same reason as set forth for claims 36-39 and 43.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) a patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims 40-42, 44-45, 50-52, 54-55, 60-62, and 64-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gladney, as applied to claims 36 above and further in view of well known features of which Official notice is hereby taken.

a. As per claims 40-42:

- i. Gladney teaches a method of applying an access privilege to a logical storage medium, as mentioned in the rejection of claim 36.
- ii. Gladney, however, does not explicitly teach that his access privilege comprises:
 1. at least one of reading, executing, appending, creating new objects, deleting, renaming, moving, overwriting, modifying attributes or modifying data object security, or
 2. a plurality of access privileges.
- iii. Applying one or more access privileges such as reading, executing, appending, creating new objects, deleting, renaming, moving, overwriting, modifying attributes or modifying data object security to at least one data identifier or portion of a logical storage medium has been known and commonly practiced in the pertinent art [see for example, col. 1, lines 60-67 of the U.S. Patent No. 5,978,914 issued to Carley et al.]. Obviously, applying more than one access privilege to a certain file or a portion of a logical storage medium would allow more than one operation to be performed to the file or storage portion.
- iv. Although Gladney give only one example relating to the access operation [i.e., OPEN a file], but one having ordinary skill in the art who is familiar with the well known access privileges such as reading, executing, appending, creating new objects, deleting, renaming, moving, overwriting, modifying attributes or modifying data object security, looks at the teaching of Gladney, would lead he or she to further incorporate the well known teaching into that of Gladney if such well known teaching is not already inherent in the teaching of Gladney simply because the mentioned access privileges are commonly used in the pertinent art.
- v. Accordingly, it would have been obvious to one having ordinary skill in the pertinent art at the time the invention was made to further applied at least one or more of the access privileges the Gladney file or directory or storage portion that

stores such file or directory. The ability to allow more than one access operation to be performed on a file or a storage portion in the Gladney storage medium provides sufficient suggestion and motivation to one having ordinary skill in the art at the time the invention was made to apply more than one access privileges to one of the Gladney file or storage portion.

- b. As per claims 50-52, the claimed system comprises no more than the necessary means for carrying out the corresponding steps in the claims 40-42. Accordingly, the claimed system is rejected for the same reason as set forth for claims 40-42.
- c. As per claims 60-62, the claimed computer program product comprises no more than necessary logic for carrying out the steps of claims 40-42. Accordingly, claims 60-62 are rejected for the same reason as set forth for claims 40-42.
- d. As per claims 44-45:
 - i. Gladney teaches a method as mentioned in the rejection of claim 36.
 - ii. Gladney, however, does not explicitly teach that at least one of his data identifier is associated with a free space portion or newly created data.
 - iii. As well known the pertinent art at that each portion of the storage medium whether or not the portion stores data, an identifier associated therewith is necessary for locating such storage portion. Similarly, regardless of whether the stored data is newly created or previously created, an identifier is necessary for locating such data.
 - iv. Accordingly, it would have been obvious [if not already inherent in Gladney] to one having ordinary skill in the art at the time the invention was made to associate a data identifier to a free space portion and/or newly created data in the Gladney storage medium simply because such identifier is necessary in locating the free space and/or newly created data.

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- e. As per claims 54-55, the claimed system comprises no more than the necessary means for carrying out the corresponding steps in the claims 44-45. Accordingly, the claimed system is rejected for the same reason as set forth for claims 44-45.
- f. As per claims 64-65, the claimed computer program product comprises no more than the necessary logic for carrying out the corresponding steps in the claims 44-45. Accordingly, the claimed product is rejected for the same reason as set forth for claims 44-45.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
7. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hiep T Nguyen whose telephone number is (571) 272-4197. The examiner can normally be reached on Monday-Friday from 9:30 am to 6:00 pm.
9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Sparks can be reached on (571) 272-4201. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Hiep T. Nguyen
Primary Examiner
Art Unit 2187

HTN